



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/853,426	05/10/2001	Takeshi Kobayashi	P/1139-101	6776

7590 10/10/2007
STEVEN I. WEISBURD
DICKSTEIN, SHAPIRO, MORIN & OSHINSKY LLP
1177 AVENUE OF THE AMERICAS
41ST FLOOR
NEW YORK, NY 10036-2714

EXAMINER

TRAN, TUAN A

ART UNIT	PAPER NUMBER
2618	

MAIL DATE	DELIVERY MODE
10/10/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/853,426

Applicant(s)

KOBAYASHI, TAKESHI

Examiner

Tuan A. Tran

Art Unit

2618

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16 is/are allowed.
- 6) ☒ Claim(s) 1-15 and 17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 10-15 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kubo et al. (6,807,275) in view of Narayanaswamy et al. (6,144,358).

Regarding claims 10 and 12, Kubo discloses a folding portable communication unit (folded-type mobile phone) (See figs. 1-2) which is composed of first and second cabinets 1, 2 and a hinge 3 for so supporting the first and second cabinets 1, 2 that they are rotational around the hinge 3 (See figs. 1-2) comprising: first display/key unit (display 8 and keypad) which displays a first information related to mobile telephone communication, inputs a first data related to the communication, and is situated on an obverse surface of the first cabinet 1; second display/key unit (display 4 and keys 5-7) which displays a second information related to mobile telephone communication, inputs a second data related to the communication, and is situated on a rear cover of the first cabinet 1, wherein the second information can be watched and the second data can be inputted in case that the first cabinet 1 and the second cabinet 2 are folded in the closed position; display driver operable to drive the first display and the second display; and a control unit 22 operable to make (control) the display driver to drive the first display and the second display that is to be used, wherein the folding portable communication unit

Art Unit: 2618

being operable to permit verbal telephone telecommunication only in case that the first and second cabinets 1, 2 are in an open position (See figs. 1-2, 6-7 and col. 4 lines 26-47, col. 5 line 16 to col. 6 line 41). However, Kubo does not mention that the communication unit comprises a common display driver operable to drive both the first and second displays as well as to decide which of the first and second displays is to be used based on a kind of the input information. Narayanaswami teaches a folding portable communication unit, wherein the communication unit comprises a common display driver operable to drive multiple displays as well as to decide which of the multiple displays is to be used based on a kind of the input information (See fig. 2 and col. 3 lines 19-33). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to configure the communication unit as disclosed by Kubo with the display driver taught by Narayanaswami for the advantage of reducing the number of electronic components of the communication unit as well as reducing power consumption, cost, size of the communication unit.

Regarding claims 11, 13 and 14-15, Kubo and Narayanaswami disclose as cited in claim 10. Kubo further discloses the control unit comprises a means for detecting whether or not the first cabinet and the second cabinet are folded, and is operable to control the display driver to display on the first display or the second display various information (data inputted from the keys or keypad and input information including pictorial information) depending on a result of detection performed by the detecting means (See fig. 7 and col. 6 lines 9-41).

Regarding claim 17, Kubo and Narayanaswami disclose as cited in claim 10. Kubo further discloses the first display 8 and the second display 4 are provided on the rear surface and the observe surface of the first cabinet 1 (See fig. 2A).

Applicant cannot rely upon the foreign priority papers to overcome this rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

Allowable Subject Matter

2. Claim 16 is allowed.

The following is a statement of reasons for the indication of allowable subject matter:

Regarding claim 16, Kubo and Narayanaswami disclose as cited in claim 10. However, they do not mention that the control unit comprises means for displaying the input information on the second display in accordance with an instruction of the user.

Response to Arguments

Applicant's arguments with respect to claims 10-17 have been considered but are moot in view of the new ground(s) of rejection.

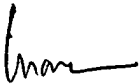
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tuan A. Tran whose telephone number is (571) 272-7858. The examiner can normally be reached on Mon-Fri, 10:00AM-6:30PM.

Art Unit: 2618

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Anderson can be reached on (571) 272-4177. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Tuan Tran
AU 2618